

DOWE
36225-020303



ROANOKE CITY COUNCIL
REGULAR SESSION

FEBRUARY 3, 2003
9:00 A.M.

CITY COUNCIL CHAMBER

AGENDA

- 1. Call to Order--Roll Call.** (Council Member Carder was absent.)

**THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE
IMMEDIATELY RECONVENED IN THE EMERGENCY
OPERATIONS CENTER CONFERENCE ROOM, ROOM 159.**



COUNCIL WORK SESSION

FEBRUARY 3, 2003

9:00 A.M.

ROOM 159

AGENDA

2. Items suggested by the Mayor and Members of Council for discussion/Items listed on the 2:00 p.m., Council docket requiring questions/discussion/clarification. (20 minutes)
3. Additions/deletions to the 2:00 p.m., Council docket. (5 minutes)
4. Briefings by City staff:
 - First Street Bridge (30 minutes)
 - Wildlife Task Force (20 minutes)
 - Church Avenue Parking Study (30 minutes)
 - Franklin Road Culvert (10 minutes)
 - Legislative Update (10 minutes)
 - Zoning Ordinance Update (15 minutes)



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***FEBRUARY 3, 2003
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (Council Member Carder was absent.)

The Invocation was delivered by The Reverend Robert L. Beasley, Chief Pastor, St. John's Episcopal Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, February 6, 2003, at 7:00 p.m., and Saturday, February 8, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring the week of February 9 - 15, 2003 as Career and Technical Education Week.

File #3-467

3. CONSENT AGENDA

(APPROVED 6-0)

(Item C-5 was withdrawn)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, December 16, 2002, and recessed until Wednesday, December 18, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #110-132

- C-3 A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in the request.
File #83-132

- C-4 A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 18, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with a revocable license to the property owner at One West Campbell Avenue, for installation of an awning that encroaches into the right-of-way of Jefferson Street, S.W.

RECOMMENDED ACTION: Concur in the request.
File #107-322

- C-5 A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, February 18, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of a public right-of-way to Liberty Property Limited Partnership.

RECOMMENDED ACTION: Concur in the request.
Withdrawn.

- C-6 A communication from Lynn D. Avis, Chair, Industrial Development Authority of the City of Roanoke, advising of the resignation of Stark H. Jones as a Director of the Industrial Development Authority of the City of Roanoke.

RECOMMENDED ACTION: Receive and file.
File #15-110-207

- C-7 Qualification of the following persons:

Nelett H. Lor as a member of the Roanoke Arts Commission, for a term ending June 30, 2005; and

Robin Murphy-Kelso as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2005.

RECOMMENDED ACTION: Receive and file.
File #15-110-230-488

REGULAR AGENDA

4. PUBLIC HEARINGS:

- a. Continuation of a public hearing on the request of the Northwest Neighborhood Environmental Organization and Robert Crowder to rezone nine tracts of land located on the south side of the 500 block of Loudon Avenue, N. W., identified as Official Tax Nos. 2013101 - 2013109, inclusive, from RM-2, Residential Multi-family, Medium Density District, to RM-3, Residential Multi-family, High Density District, subject to certain conditions; and three tracts of land located on the north side of the 500 block of Centre Avenue, N. W., identified as Official Tax Nos. 2013117 - 2013119, inclusive, from LM, Light Manufacturing District, to RM-3, Residential Multi-family, High Density District, subject to certain conditions proffered by the petitioners. James Lesniak, Executive Director; and Mr. Robert Crowder, Spokespersons. (The public hearing was continued at the January 21, 2003 meeting of Council.)

Adopted Ordinance No. 36225-020303. (6-0)
File #51

- b. Continuation of a public hearing on the request of the Northwest Neighborhood Environmental Organization that all of the alley from 6th Street to 5th Street, N. W., in the block lying between Loudon Avenue and Centre Avenue, beginning at the east side of 6th Street, between lots bearing Official Tax Nos. 2013101 and 2013115, and extending east to its intersection with 5th Street, between lots bearing Official Tax Nos. 2013114 and 2013123, extending north, and on the west extending along the east border of the lot bearing Official Tax No. 2013109 and on the east extending along the west border of lots bearing Official Tax Nos. 2013114 - 2013110, inclusive, extending north to its intersection with Loudon Avenue, be permanently vacated, discontinued and closed. James Lesniak, Executive Director; and Mr. Robert Crowder, Spokespersons. (The public hearing was continued at the January 21, 2003 meeting of Council.)

Adopted Ordinance No. 36226-020303. (6-0)
File #514

5. PETITIONS AND COMMUNICATIONS:

- a. A report with regard to activities of the Roanoke Valley Economic Development Partnership. Phillip F. Sparks, Executive Director. (10 minutes) (Sponsored by the City Manager.)

The matter was deferred until a later date.

- b. A request of The Angels of Assisi to address Council with regard to amendment to permitted exemptions in the C-3, Central Business District. Norman D. Mason, President, Board of Directors. (10 minutes) (Sponsored by Council Members Bestpitch and Carder.)

The request was referred to the City Planning Commission for study, report and recommendation with regard to a text amendment for a special exception to be added to the C-3 zoning classification. File #51-54-200

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

1. Citizen Survey Results. (15 minutes)
Received and filed.
File #563

ITEMS RECOMMENDED FOR ACTION:

2. A communication with regard to transfer of funds from the 1999 Public Improvement Bond Series to various capital project accounts, and a portion of the 2002 Public Improvement Bond Series for implementation of certain projects.

Adopted Budget Ordinance No. 36227-020303. (5-0, Vice-Mayor Harris abstained from voting.)
File #60-217

3. A communication recommending execution of a Waiver of Provision of Deed of Restriction for Elizabeth Arden, Inc., and Liberty Property Partnership Limited, for expansion purposes at the Roanoke Centre for Industry and Technology.

Adopted Resolution No. 36228-020303. (6-0)
File #207

4. A communication recommending transfer of funds for improvements to Phase I, Public Works Service Center projects.

Adopted Budget Ordinance No. 36229-020303. (6-0)
File #60-183

5. A communication recommending acceptance of a V-STOP Domestic Violence Grant from the Virginia Department of Criminal Justice Services, in the amount of \$32,403.00; and appropriation of funds.

Adopted Budget Ordinance No. 36230-020303 and Resolution No. 36231-020303. (6-0)
File #5-60-236

6. A communication recommending transfer of funds for traffic calming initiatives.

Adopted Budget Ordinance No. 36232 on first reading. (6-0)
File #20-60-316

7. A communication with regard to the Virginia Pollutant Discharge Elimination System General Permit Registration Statement for Stormwater Discharges.

Adopted Resolution No. 36233-020303. (6-0)
File #27-468

8. A communication recommending transfer of funds for implementation of traffic signal systems.

Adopted Budget Ordinance No. 36234-020303. (6-0)
File #20-60-264

b. CITY ATTORNEY:

1. A report transmitting an ordinance in connection with certain land within the boundary of Kennedy Park for use by the Roanoke Academy of Mathematics and Science.

Adopted Ordinance No. 36235-020303. (6-0)
File #60-67-467

c. CITY CLERK:

1. A report advising of expiration of the three-year terms of office of F. B. Webster Day, Marsha W. Ellison and Gloria P. Manns as Trustees of the Roanoke City School Board on June 30, 2003, and applications for the upcoming vacancies will be received in the City Clerk's Office until 5:00 p.m., on Monday, March 10, 2003.

Received and filed.
File #467

d. DIRECTOR OF FINANCE:

1. Financial report for the month of December 2002.

Received and filed.
File #1-10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 36223, on second reading, authorizing and directing the proper City officials to enter into a lease extension between the City, the School Board of the City of Roanoke and the Young Men's Christian Association of Roanoke, Virginia, for use of the Jefferson High School gymnasium, upon certain terms and conditions.

**Adopted Ordinance No. 36223-020303. (6-0)
File #100-373-467**

- b. An Ordinance amending and reordaining certain sections of the 2002-2003 Risk Management Fund Appropriations, and dispensing with the second reading by title of this ordinance.

**Adopted Budget Ordinance No. 36236-020303. (6-0)
File #60-396**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Cutler advised of a Tree Virginia Workshop to be held on March 5, 2003, at Virginia Western Community College.
File #240**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Josephine Hudson, 1111 Loudon Avenue, N. W., addressed Council with regard to real estate taxes, the water rate increase and the job market in the Roanoke area.

File #66-79-468

12. CITY MANAGER COMMENTS:

The City Manager advised of two new programs to be initiated by the City; i.e.: a "citizen university" which will afford citizens the opportunity to receive indepth exposure to various aspects of City government; and the City 's version of a "welcome wagon" which is designed to provide new residents to the City of Roanoke with information that will acclimate them to life in the Roanoke Valley.

File #175

CERTIFICATION OF CLOSED SESSION. (5-0, Council Member Cutler was out of the Chamber when the vote was recorded.)

THE COUNCIL MEETING WAS DECLARED IN RECESS AT 4:35 P.M., TO BE IMMEDIATELY RECONVENED IN ROOM 159 FOR A CONTINUATION OF COUNCIL BRIEFINGS.

AT 5:00 P.M., THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL TUESDAY, FEBRUARY 4, 2003, AT 8:30 A.M., FOR THE ROANOKE CITY COUNCIL/ROANOKE CITY SCHOOL BOARD RETREAT AT THE VINTON WAR MEMORIAL, 814 WASHINGTON AVENUE, VINTON, VIRGINIA.